



DFW

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

Atty. Docket No.: LU05014USU (Arney 11-23-24-16-2-14)

Applicant: Arney et al.

Title: DYNAMICALLY CONTROLLABLE BIOLOGICAL/CHEMICAL DETECTORS HAVING NANOSTRUCTURED SURFACES

Date of Deposit: November 22, 2005

Serial No.: 10/806,543

Filing Date: March 23, 2004

Type of Documents: Summary of Telephone Interview (2 pgs);
Supplemental Information Disclosure Statement (2 pgs);
Form PTO-1449 (1 pg);
Copy of European Search Report (4 pgs);
Copies of non-U.S. patent document references cited (5 references); and
Return Receipt Postcard

I hereby certify that the documents identified above are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 22, 2005.

Bonnie S. Sheridan
Bonnie S. Sheridan



Arney 11-23-24-16-2-14
LU05014USU

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Arney et al.

DOCKET NO.: LU05014USU

SERIAL NO.: 10/806,543

GROUP ART UNIT: 1641

DATE FILED: March 23, 2004

EXAMINER: Melanie J. Yu

CONFIRMATION NO.: 2493

TITLE: DYNAMICALLY CONTROLLABLE BIOLOGICAL/CHEMICAL DETECTORS
HAVING NANOSTRUCTURED SURFACES

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 22, 2005.

Bonnie S. Sheridan
Bonnie S. Sheridan

November 22, 2005

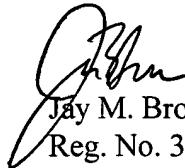
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Summary of Telephone Interview

Applicants' counsel telephoned the Examiner on Friday, September 16, 2005 to seek clarification of paragraph 3 on page 2 of the Official Action mailed April 28, 2005. That paragraph states that "The references not considered on the information disclosure statement filed 23 March 2004 have not been considered because the patent application references are not published, documents must be published patents or patent applications." Applicants' counsel requested confirmation that the subject references have effectively been found not to raise any patentability issues, in accordance with Manual of Patent Examining Procedure section 2127(IV). The Examiner confirmed that her search notes reflected review of all applications having overlapping inventorship. Applicants appreciate the Examiner's assistance during this interview.

Date: November 22, 2005

Respectfully submitted,



Jay M. Brown

Reg. No. 30,033

The Eclipse Group

5003 Southpark Drive, Suite 260

Durham, NC 27713

(Tel): (919) 313-6161

Customer No.: **51029**



Docket No.: LU05014USU (Arney 11-23-24-16-2-14)
Serial No.: 10/806,543

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Arney et al.

DOCKET NO.: LU05014USU

SERIAL NO.: 10/806,543

GROUP ART UNIT: 1641

DATE FILED: March 23, 2004

EXAMINER: Melanie J. Yu

CONFIRMATION NO.: 2493

TITLE: DYNAMICALLY CONTROLLABLE BIOLOGICAL/CHEMICAL DETECTORS
HAVING NANOSTRUCTURED SURFACES

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 22, 2005.

Bonnie S. Sheridan

Bonnie S. Sheridan

November 22, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. 1.56, 1.97, and 1.98, applicants' undersigned attorney brings to the attention of the Patent and Trademark Office the documents listed on the attached Form PTO-1449.

This information is being submitted under 37 CFR § 1.97(c)(1) and (e), subsequent to the later of three months after the filing date of the present application or the mailing of the first Office Action on the merits and before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application. The references now cited in this application were cited in counterpart European patent application no. EP 05 25 1553 on August 22, 2005. Therefore, each item of information contained in this

Supplemental Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Supplemental Information Disclosure Statement. Accordingly, no fee is required in connection with the filing of this Supplemental Information Disclosure Statement. A courtesy copy of the European Search Report is enclosed.

This is not to be construed as a representation that a search has been made or that a reference is relevant merely because cited. The filing of this information disclosure statement shall not be construed as an admission against interest in any manner.

Copies of Form PTO-1449, as well as any non-patent documents and foreign patent and foreign patent publications cited as references are enclosed with this transmittal.

Although it is believed that no fees are due, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to our Deposit Account No. 50-2542.

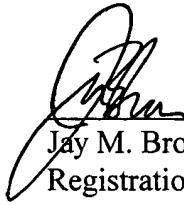
Early passage of the subject application to issue is earnestly solicited.

Respectfully submitted,

THE ECLIPSE GROUP

Date: November 22, 2005

By:



Jay M. Brown
Registration No. 30,033

The Eclipse Group
5003 Southpark Dr., Suite 260
Durham, NC 27713
Phone: (919) 313-6161
Fax: (919) 313-6170

Customer No. **51029**



FORM PTO-1449 U.S. Department of Commerce Patent and Trademark Office List of Documents Cited by Applicant			Attorney Docket No.: LU05014USU (Arney 11-23-24-16-2-14)		Serial No.: 10/806,543		
			Applicant(s): Arney et al.				
			Filing Date: March 23, 2004			Group: 1641	
U.S. PATENT DOCUMENTS							
Examiner Initials	No.	Document Number	Date	Name	Class	Subclass	Filing date if Appropriate
	01	2003/148401 A1	08/07/2003	Agrawal et al.	435	7.9	
	02	5,674,592	10/07/1997	Clark et al.	428	161	
FOREIGN PATENT DOCUMENTS							
Examiner Initials	No.	Document Number	Date	Name of Patentee or Applicant		Cntry	Translation Yes No
	03	EP 1 473 079 A1	11/03/2004	Lucent Technologies Inc.		EP	Yes
	04	WO 02/057014 A1	07/25/2002	Advalytix AG		WO	Abstract
	05	WO 03/103835 A1	12/18/2003	ÅMIC AB		WO	Yes
	06	WO 03/051517 A2	06/26/2003	Sunyx Surface Nanotechnologies GMBH		WO	Abstract
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
Examiner Initials	No.	Full Information Of Document					
	07	Washizu, "Electrostatic Actuation of Liquid Droplets for Microreactor Applications", <i>IEEE Transactions on Industry Applications</i> , Vol. 34, No. 4, pp. 732-737 (July/August 1998).					

EXAMINER _____ DATE CONSIDERED _____

*Examiner Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.